

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THE HUNTINGTON NATIONAL
BANK,

Plaintiff,

v.

SAKTHI AUTOMOTIVE GROUP
USA, INC., et al.,

Defendants.

Case No. 2:19-cv-10890

HONORABLE STEPHEN J. MURPHY, III

**ORDER GRANTING PLAINTIFF'S MOTION TO AMEND
BRIEFING SCHEDULE AND RESETTING EVIDENTIARY HEARING [22]**

On March 27, 2019, Plaintiff Huntington National Bank ("Huntington") filed its complaint and an emergency motion for appointment of receiver and temporary restraining order. ECF 1, 6. Defendants Sakthi Automotive Group USA, Inc., Sakthi America Corporation, and Sakthi Real Estate Holdings, Inc. ("Sakthi Defendants") filed their answer the same day. ECF 14. On March 28, 2019, Sakthi Defendants filed a response in opposition to Huntington's emergency motion, ECF 16, and the Court held a hearing on the motion. On March 29, 2019, the Court entered an order denying the motion. ECF 19. The Court's March 29 Order set a weekend deadline of March 31, 2019, for Plaintiff to file a motion for preliminary injunction and required Defendants to file their response by Monday, April 1, 2019, at 5:00pm. *Id.* The Court also set an evidentiary hearing for Wednesday, April 3, 2019. *Id.* The Court

recognized, however, that these short deadlines might make it difficult for the parties and their counsel to prepare the necessary evidence and schedule witness testimony. Consequently, the Court welcomed the parties to either file a proposed stipulated order to extend these dates or to otherwise move the court. *Id.*

On March 30, 2019, Huntington filed a motion to amend the briefing schedule and to postpone the evidentiary hearing. ECF 22. Huntington requests that it have until Wednesday, April 3, 2019, at 5:00pm to file its motion for preliminary injunction and that the Sakthi Defendants be given until Saturday, April 6, 2019, at 5:00pm to file their response. *Id.* at 569. Huntington further requests that the evidentiary hearing be adjourned until the week of April 8, 2019, to allow Huntington "sufficient time to call two to three witnesses to testify." *Id.* Sakthi Defendants responded in opposition to Huntington's motion to amend briefing dates and submitted that the Court should deny Huntington's request "or cancel the April 4, 2019 hearing altogether." ECF 23, PgID 579. Sakthi Defendants further requested that the Court award "reasonable expenses and attorneys fees incurred in opposing [the] motion" and "sanction Plaintiff for failure to comply with this Court's 3/29/19 Order[.]" *Id.* Sakthi Defendants have not demonstrated that they will be prejudiced by a minor extension of the Court's previously imposed deadlines for the preliminary injunction motion. The Court finds that good cause exists to briefly extend the deadlines set in its March 29, 2019 Order to allow the parties adequate time to prepare argument and evidence in support of, or in opposition to, a preliminary injunction.

ORDER

WHEREFORE, it is hereby **ORDERED** that Huntington's motion to amend the briefing schedule and to adjourn the evidentiary hearing [22] is **GRANTED**.

IT IS FURTHER ORDERED that the Court will conduct an evidentiary hearing on a motion for preliminary injunction on **Wednesday, April 10, 2019, at 1:00 p.m.** Plaintiff shall **FILE** a motion for preliminary injunction by **Wednesday, April 3, 2019, at 5:00 p.m.** Defendants shall **FILE** a response brief by **Monday, April 8, 2019, at 12:00 p.m. (noon).**

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 1, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 1, 2019, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager